

CRIMINAL CAUSE FOR SENTENCING

Before: HON. DORA L. IRIZARRY, U.S.D.J.

Time in court: 1 HR & 6 MINS.

Date: October 16, 2009

Docket Numbers: 06-CR-255(S-1); 08-CR-640-02; 09-CR-150

Defendant's Name: SHAHEED KHAN

X Present Not Present X Custody Bail

Defense Counsel for 06-CR-255(S-1):

DIARMUID WHITE, BRENDAN WHITE & JOHN BERGENDAHL

 Federal Defenders CJA X Retained

Defense Counsel for 08-CR-640-02 AND 09-CR-150: STEVEN BROUNSTEIN

 Federal Defenders X CJA Retained

AUSAs for 06-CR-255(S-1) AND 09-CR-150: SHANNON JONES & WALTER NORKIN

AUSA for 08-CR-640-02: MORRIS FODEMAN

Probation Officer: JAIME TURTON

Court Reporter: MARSHA DIAMOND

Deputy Clerk: CHRISTY CAROSELLA

- The defendant pled guilty to: Count 2 of Superseding Indictment (S-1) under 06-CR-255; Count 1 of Indictment under 08-CR-640; and sole count under 09-CR-150. Pleas were entered pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure.
- Statements of Ms. Jones heard on behalf of the government under 06-CR-255(S-1).
- Statements of Mr. Fodeman heard on behalf of the government under 08-CR-640.
- Statements of Diarmuid White and John Bergendahl heard on behalf of the defendant under 06-CR-255(S-1).
- Statements of Mr. Brounstein heard on behalf of the defendant under 08-CR-640 and 09-CR-150.
- Statements of the defendant heard prior to the imposition of sentence.
- Defendant sentenced as follows: Count 2 of 06-CR-255(S-1) – 15 years in custody w/ 5 years of supervised release; count 1 of 08-CR-640 – 15 years in custody w/ 5 years of supervised release; count 1 of 09-CR-150 – 10 years in custody w/ 3 years of supervised release.
- All terms of imprisonment and supervised release are imposed to run CONCURRENTLY.
- \$100 Special Assessment imposed on each count of conviction for a total of \$300.
- No fines are imposed, as to any count of conviction, due to inability to pay.
- All open counts under 06-CR-255(S-1) and underlying indictment are dismissed upon the government's motion. There are no open counts under 08-CR-640 and 09-CR-150.
- Special conditions of supervised release (imposed as to all three dockets): 1) The defendant may not possess a firearm, ammunition, or a destructive device; 2) if deported, the defendant may not re-enter the United States. The court advised the defendant of the consequences of illegal re-entry.

- The defendant waived his right to appeal pursuant to the plea agreement. However, all defense counsel are directed to advise the defendant of any residual appellate rights he may have, and shall remain on this case for ten days following entry of judgment if the defendant wishes to file an Notice of Appeal.
- Recommendation to Bureau of Prisons: Designation to an institution in the Mid-Atlantic region to facilitate family visits.